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4 BILL NO. Z-73-06-25

5 ZONING MAP ORDINANCE NO. Z- 14-73

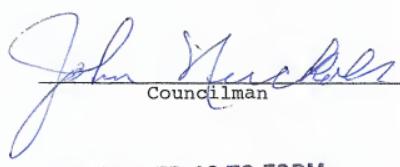
6 AN ORDINANCE amending the City of  
7 Fort Wayne Zoning Map No. F7, F9.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is  
11 hereby designated a BlB district under the terms of Chapter 36,  
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
13 amended by General Ordinance No. 2836 and amendments thereof,  
14 and the symbols of the City of Fort Wayne Zoning Map No.  
15 F7, F9, referred to therein, established by Section 9, Article  
16 III of said Chapter as amended, are hereby changed accordingly,  
17 to-wit:

18 Approximately 147 feet x 279 feet, Part of  
19 Lot #29, Except the South 1,025 feet, in  
J. H. Feichter Gardenview Addition, Fort  
Wayne, Allen County, St. Joseph Township,  
20 Indiana.

21 SECTION 2. This Ordinance shall be in full force  
22 and effect from and after its passage and approval by the Mayor  
23 and publication thereof.

24   
John H. Huckleberry  
25 Councilman

26 APPROVED AS TO FORM  
27 AND LEGALITY   
28   
29   
30 CITY ATTORNEY

31  
32  
33  
34  
35

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City=County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 6-26-73

Charles W. Stierman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (LAW) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	ABSENT	to-wit:
BURNS	/					
HINGA	/					
KRAUS	/					
MOSES	/					
NUCKOLS	/					
SCHMIDT, D.	/					
SCHMIDT, V.	/					
STIER	/					
TALARICO	/					

DATE: 9-11-73

Charles W. Stierman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-14-73 on the 11th day of September, 1973.

Charles W. Stierman  
CITY CLERK

ATTEST: (SEAL)

W. J. Fullenwider Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Stierman  
CITY CLERK

Approved and signed by me this 12th day of September, 1973, at the hour of 8:00 o'clock P.M., E.S.T.

David A. Edwards  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflict with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this  
4th day of September, 1973.

Gretchen Wiegel  
Secretary

Hold

Bill No. Z-73-06-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. F7, F9

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nichols  
Dixie G. Schmidt  
William T. Kling  
John L. Lewis  
Edgar Schmitt

DATE 9-11-73 CONSIDERED IN  
CHANNELS W. WESTERMAN, CITY CLERK

## RECEIPT

Nº 207

GENERAL FUND

FT. WAYNE, IND. 6/7 1973

RECEIVED FROM Violet S. Noble \$50.00THE SUM OF Fifty and 00/100 — DOLLARSON ACCOUNT OF App 147' x 279', part of Lot #29 Except  
soil 1,025', J.H. Feichter Gardenview Add.Barb Steele

AUTHORIZED SIGNATURE

## C CHANGE FROM RI TO BIB

Approximately 147 feet X 279 feet, Part of Lot # 29, Except the South 1.025 feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana

BNI No. Z-73-06-25

## PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE

CITY OF FORT WAYNE, INDIANA

Receipt No. \_\_\_\_\_

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

I/WE Violet S. Noble

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an "R-1" District to a/an "B-1-B" District the property described as follows:

Approximately 147 feet x 279 feet, Part of Lot #29, Except the South 1,025 feet, in J.H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana

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(Legal Description)

(General Description for Planning Staff Use Only)

I/WE, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Violet S. Noble      3524 E. State St.      *Violet S. Noble*

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(Name)      (Address)      (Signature)

Legal Description Checked By: \_\_\_\_\_  
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Robert S. Bechert      214 Gettle Building      423-2574  
(Name)      (Address)      (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802      Telephone Number 423-7571

Dear Sir:

We approve of a sleek  
house on Mrs. Nobles corner.

Mr. & Mrs. Robert Henry

8-30-73  
Ft Wayne, Ind.

To whom it may concern:

We have no objection to the property at 3524 E. State Blvd owned by Mrs. Clarence Noble to be zoned for light business.

We have been told that a chain resturant "Sizzler steakhouse hopes to build on this property and we have no objection to such a business

Sincerely  
M L Evans  
Drene M Evans

3509 E. State Blvd  
Ft Wayne, Ind 46805  
telephone 483 1988

✓

8-31-73

Dear Sir:

I give my A.L. on the  
Steak House on Mrs. Noble  
Property.

Mrs. R.H. Goodman  
2211 Loraine Ave.  
St. Wayne, Ind.

9-4-73

To Whom this Concerns  
Dear Sirs:

I live at 3506 E. State Blvd.  
and I am not objecting  
to the rezoning of Mrs  
Clarence R. Nobles property.  
located at 3524 E. State Blvd.  
I am told it will be  
rezoned for light Business  
and that the business  
will be a eating place  
Called the Sizzling Steak  
House,

Mr Howard J. Peterson

✓

in favor of  
Steak House

J. A. Seeger	- 2017
Helen Struck	- 2025
Ileda Chapman	- 2137
Darby Selsen	- 5130 E. State
Mary Meek	- 2107
Lillian Schinnerer	- 2115
Anna Minich	- 2117
Helen Esser	- 2125
Ruth Moellering	- 2123
Pat Clause	- 2111
Marie Koch	- 2114
Ethel Oyen	- 2102
Marie Gerspacher	- 2001
Ethel Albright	- 2023
Dorothy Hoeler	- 2021
Marcella Pase	- 1943
Dina Dekker	- 1945
Marie Nohelle	- 1931
Adeline Schaefer	- 1941
Clara Rader	- 1935
Mrs. William Bruecker	- 2127

all are residents of Senior St.

" " Senior Town

Mrs. Dorothy Bidwell  
Frances Lauer

3422 East State

David Hofstetter

3432 E. State

Maryne Snare Arthur Shull

3430 East State

Kelva Snarely 3462 E. State St.

Bernice R. ~~FOX~~

Marian Shecloth

Oneida F. Nern E. State St.

Emry E. Myren

Pauline Hosler

Ethel Ridor

Odelia McIntyre.

Helen Smetzer

Dora Doan

Ursula ~~Moore~~

Marie Gladstone

Blanche York

Marguerite Webb

Grace Hunt 3426 E. State

Mrs John Passwater 3444 E. State

Maureen Hostetter 3428 E. State

September 1, 1973  
3523 East State Blvd.,  
Fort Wayne, Indiana 46805

TO WHOM IT MAY CONCERN:

This is to state that we own property at 3523 East State Blvd., and have no objections to the property at 3524 East Blvd., being sold and re-zoned for light business.

It is our understanding that this will be used to build a Sizzling Steak house on.

Yours very truly,

*William H. McComb Sr.*

William H. McComb Sr.

*Louise McComb*

Louise McComb



DIGEST SHEET

3-73-06-25

TITLE OF ORDINANCE

Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE

Petition initiated by property owners to rezone property located as follows:

Approximately 147 feet X 279 feet, part of Lot # 29, Except the south 1,025 feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St.

Joseph Township, Indiana, generally located on the southwest corner of E. State Blvd. and Laverne Avenue.

From "R1" to "BLB"

EFFECT OF PASSAGE From a residential zone to a commerical zone  
(limited business)

EFFECT OF NON-PASSAGE Parcel would remain residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J. N.) DEG - WCM

## ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	3-73-06-25 -
ORDINANCE NO.	3-14-73
REGULAR SESSION	6-26-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	
BILL WRITTEN BY	Clyde Plyear
DATE INTRODUCED	6-26-73
REFERRED TO SAID STANDING COMMITTEE	Nuckols Regulations
REFERRED TO CITY PLAN	6-26-73
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
X PASS	9-11-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
X	ZONING MAPS Resolution zoning Cll Planning & Committtee ABSTRACTS Letters from petitioners TITLES Petitions to rezone
	PRIOR APPROVAL LETTER

Digest sheet.

## COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:



CITY OF FORT WAYNE  
CITY-COUNTY BUILDING  
ONE EAST MAIN STREET  
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN  
CITY CLERK

September 18, 1973

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 19 and September 26, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana:

Zoning Map No. Z-12-73  
Amending the City of Fort Wayne  
Zoning Map No. E1, E2, F1, F2.

Zoning Map No. Z-11-73  
Amending the City of Fort Wayne  
Zoning Map No. BB9.

Zoning Map No. Z-13-73  
Amending the City of Fort Wayne  
Zoning Map No. C3, D3.

Zoning Map No. Z-14-73  
Amending the City of Fort Wayne  
Zoning Map No. F7, F9

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

Common Council-City of Ft. Wayne  
(Governmental Unit)

To..... JOURNAL-GAZETTE Dr.

Allen ..... County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	—
Body	number of lines	76
Tail	number of lines	2
Total number of lines in notice		<u>78</u>

## COMPUTATION OF CHARGES

78	lines	columns wide	equals	equivalent lines at	288¢		22.46
				cents per line			\$

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	(2)	1.00
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TOTAL AMOUNT OF CLAIM		<u>\$ 23.46</u>
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## DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type <u>5½</u> point
Number of insertions <u>2</u>	Size of quad upon which type is cast <u>5½</u>

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 27, 1973

Title..... CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:

LEN County }  
personally appeared before me, a notary public in and for said county and state, the  
désigné ARVILLA DE WALD who, being duly sworn, says  
at she is \_\_\_\_\_ of the

JOURNAL-GAZETTE

DAILY newspaper of general circulation printed and published  
the English language in the city of FORT WAYNE, INDIANA  
state and county aforesaid, and that the printed matter attached hereto is a true copy,  
which was duly published in said paper for 2 time(s), the dates of publication being  
as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September 1973

Notary Public

By commission expires October 25, 1975

CHARLES W. WESTERMAN City Clerk

Rec'd the third time in full on or on motion  
by Nuckles, seconded by Tolson, and duly  
admitted, placed on its passage. Passed by  
the following vote: Ayes: Nine - Burns, Hinpa, Kreus, Moses,  
Nuckles, D. Schmidt, V. Schmidt, Stier,  
Tolson, Westerman. Nay: None  
9-1-73

CHARLES W. WESTERMAN City Clerk

Passed and adopted by the Common  
Council of the City of Fort Wayne, Indiana  
on Zoning Map Ordinance No. 2-14-73 on the  
11th day of September, 1973.

ATTEST: (SEAL)  
Charles W. Westerman Winfield C. Mess,

City Clerk Presiding Officer  
Presented by me to the Common Council of the  
City of Fort Wayne, Indiana, on the 11th day of  
September, 1973, at the hour of 10:00

o'clock A.M., E.S.T.

CHARLES W. WESTERMAN City Clerk

Approved and signed by me this 12th day  
of September, 1973, at the hour of 3:00  
o'clock P.M., E.S.T.

IVAN A. LEBAMOFF Mayor

I Charles W. Westerman, Clerk of the  
City of Fort Wayne, Indiana, do hereby certi-  
fy that the above and foregoing is a full,  
true and correct copy of Zoning Map Or-  
dinance No. 2-14-73 passed by the Common  
Council on the 11th day of September, 1973  
and that the original copy of the same is filed  
and approved by the Mayor on the 12th day  
of September, 1973, and now remains on file  
on record in my office.

WITNESS my hand, and the official seal  
of the City of Fort Wayne, Indiana, this  
12th day of September, 1973.

CHARLES W. WESTERMAN CITY CLERK

Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen ..... County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
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## COMPUTATION OF CHARGES

78	lines,.....columns wide equals.....equivalent lines at..288¢	<u>\$ 22.46</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two)	(2)	<u>1.00</u>
<b>TOTAL AMOUNT OF CLAIM</b>		

## DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type <u>5½</u> point
Number of insertions <u>2</u>	Size of quad upon which type is cast <u>5½</u>

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*Date September 27, 1973

Title ..... Clerk

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-14-73, entitled "Zoning Map Ordinance, to-wit:

BILL NO. 2-14-73  
ZONING MAP ORDINANCE NO. Z-14-73  
AN ORDINANCE amending the City of Fort Wayne Zoning Map, No. 2-14-73, BE IT ORDAINED by the COMMON COUNCIL of the CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows be and the same is hereby established under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, Title 14, Article 1, Zoning Map Ordinance No. 2-26-4 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. 2-14-73, are hereby established by Section 9, Article III of said Chapter 36, and are hereby changed accordingly, to-wit:

Approximately 147 feet x 275 feet, Part A of the area bounded by the following in J. H. Felcher Gardenview Addition, Fort Wayne, Indiana, Street, St. Joseph Township, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication thereof.

JOHN NUCKOLS  
Councilman  
Read the third time in full and on motion by Nuckles, seconded by Talarico and duly adopted, placed on its passage. Passed by the Common Council of the City of Fort Wayne, Indiana, on the 11th day of September, 1973.  
Ayes: Nine — Burts, Hinga, Kraus, Moses, Nuckles, O. Schmidt, V. Schmidt, Stier, Talarico, Westerman. Nays: None  
9-11-73

CHARLES W. WESTERMAN  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, under Ordinance No. 2-14-73 on the 11th day of September, 1973.

ATTEST: (SEAL)  
Charles W. Westerman Winfield C. Moses  
Jr., City Clerk Presenting Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., 1973.

CHARLES W. WESTERMAN

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., 1973.

IVAN A. LEBAMOFF

I Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the foregoing is a true and complete copy of Zoning Map Ordinance No. 2-14-73, passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

With this copy I send the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN  
CITY CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman, who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city / of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September, 1973.

*A. M. Hostman*

Notary Public

My commission expires October 25, 1975